

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

COACHMAN INDUSTRIES, INC.

Plaintiff,

vs.

GULF INSURANCE COMPANY,

Defendant.

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C.A. NO. C-05-264

ORDER

On this day the Court held a telephone conference in the above-styled action. At the conference, Plaintiff Coachman Industries ("Plaintiff") made an oral motion for leave to depose Darrell Barger, the mediator from a prior state court case in which Plaintiff was involved. Under Texas law, however, communications and records from a mediation are confidential and a mediator may not disclose such information. See, e.g., Tex. Civ. Prac. & Rem. Code §§ 154.053, 154.073. No exceptions to the rule of confidentiality apply in this case. Plaintiff's motion is therefore DENIED.

SIGNED and ENTERED this 25th day of January, 2006.

A handwritten signature in black ink, reading "Janis Graham Jack", is written over a horizontal line.

Janis Graham Jack
United States District Judge